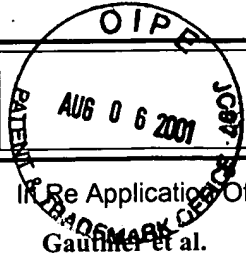

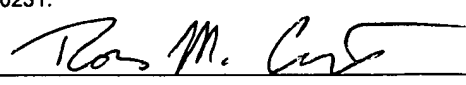


MP-3738

 <p><b>TRANSMITTAL LETTER</b> (General - Patent Pending)</p>		<p>Docket No. <b>P025</b></p>	
Re Application Of: Gautier et al.			
Serial No. <b>09/484,548</b>	Filing Date <b>1/18/01</b>	Examiner <b>Isabella, David J.</b>	Group Art Unit <b>3738</b>
Title:  <p style="text-align: center;"><b>MICROWAVE ABLATION INSTRUMENT WITH FLEXIBLE ANTENNA AND METHOD</b></p>			
<p style="text-align: center;"><u>TO THE COMMISSIONER OF PATENTS AND TRADEMARKS:</u></p> <p>Transmitted herewith is:</p> <p style="text-align: center;"><b>ELECTION AND PRELIMINARY AMENDMENT A POSTCARD</b></p> <p>in the above identified application.</p> <p> <input checked="" type="checkbox"/> No additional fee is required.  <input type="checkbox"/> A check in the amount of _____ is attached.  <input type="checkbox"/> The Commissioner is hereby authorized to charge and credit Deposit Account No. _____ as described below. A duplicate copy of this sheet is enclosed.         </p> <div style="margin-left: 40px;"> <input type="checkbox"/> Charge the amount of _____  <input type="checkbox"/> Credit any overpayment.  <input type="checkbox"/> Charge any additional fee required.         </div> <div style="margin-top: 20px;"> <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;">   <hr style="width: 100%;"/> <p>Signature</p> </div> <div> <p>Dated: <b>2-AUGUST-2001</b></p> </div> </div> <div style="margin-top: 10px;"> <p><b>Ross M. Carothers</b> Reg. No. 44,593</p> </div> </div>			
<div style="border: 1px solid black; padding: 5px;"> <p>I certify that this document and fee is being deposited on August 2, 2001 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.</p> <div style="text-align: center; margin-top: 10px;">   <p>Signature of Person Mailing Correspondence</p> </div> <div style="text-align: center; margin-top: 10px;"> <p><b>Ross M. Carothers</b> Typed or Printed Name of Person Mailing Correspondence</p> </div> </div>			

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Patent Application of  
Applicant: Gauthier et al.

Docket No.: P025

Ser. No.: 09/484,548

Examiner: Isabella, David J.

Filed on: 1/18/00

Art Unit: 3738

For: MICROWAVE ABLATION INSTRUMENT WITH FLEXIBLE ANTENNA  
ASSEMBLY AND METHOD

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail to: Commissioner for Patents, Box Non-Fee Amendment, Washington, DC 20231 on August 2, 2001.

Signed: Ron M. Carothers

Ross M. Carothers

# 7

**ELECTION AND PRELIMINARY AMENDMENT A**

Hon. Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In response to the Restriction Requirement dated July 3, 2001, Applicants hereby elect new claims 81-117 which are added by amendment below.

IN THE CLAIMS:

Please cancel claims 1-80, without prejudice.

Please add the following claims:

- 81. An energy delivery device for ablating biological tissue, comprising:  
a flexible ablation assembly, comprising:  
a flexible ablation device; and  
a means for directionally controlling ablation energy emitted therefrom.

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